

which an electron-donating dye precursor is encapsulated and outside of which an electron-accepting compound is present, the electron-donating dye precursor being capable of reacting with the electron-accepting compound to develop color, wherein the microcapsules comprise at least two kinds of microcapsules having different volume average particle diameters.

Neither JP-A No. 2000-233574 nor JP-A No. 8-156421 specifically teaches at least two kinds of microcapsules having different volume average particle diameters. All of the microcapsules contained in the microcapsule liquids MC1, MC2 and MC3 used in the Examples in JP-A No. 2000-233574 have an average particle diameter of 0.6 μm . Further, both of the microcapsules contained in the microcapsule liquids MC1 and MC2 used in the Examples in JP-A No. 8-156421 have an average particle diameter of 0.7 μm . Additionally, there is no teaching or suggestion to serve as motivation for one of ordinary skill in the art to modify or combine the references with a reasonable expectation of success. Sworn English translations of the relevant portions of JP-A Nos. 2000-233574 (Attachment A) and 8-156421 (Attachment B) are submitted herewith for the Examiner's convenience.

Even if combined, the present invention would not have been achieved since neither JP-A No. 2000-233574 nor JP-A No. 8-156421 teaches nor suggests the requirement of at least two kinds of microcapsules having different volume average particle diameters of the present invention and/or the effect obtained by satisfying the requirement. Thus the present invention is not rendered obvious by the cited references.

Accordingly, Applicants respectfully request withdrawal of the rejection.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Jennifer M. Hayes
Registration No. 40,641

Date: July 3, 2006